

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
THE UNITED STATES vs. Ernest Charles Downs Larry Dee Johnson, and John Dennis Koop	For U. S.: James E. Ritchie For Defendant: Don Gilder, 424 So. Cheyenne Vural Gilley, Enterprise Bg Ted Gibson, Wright Bldg.

CLOSED-Downs
CLOSED-Johnson
CLOSED-Koop

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 1-31-68	Clerk				
J.S. 3 mailed 2-29-68(3)	Marshal				
Violation NMVTA	Docket fee				
Title 18					
Sec. 2312					

DATE	PROCEEDINGS
1-12-68	Indictment filed in open court. w
1-12-68	Record vote of the Grand Jury filed in open court. w
1-12-68	Bonds fixed in the sum of \$3,500 each. w
1-12-68	Warrants for arrest of defendants, issued. w
1-16-68	Defendants Ernest Charles Downs, Larry Dee Johnson and John Dennis Koop, each present in person and each represented by counsel. Ernest Charles Downs and Larry Dee Johnson waive attorneys, waivers signed and filed in open Court and their attorneys are directed to sit in on all proceedings. Defendants are each arraigned; Ernest Charles Downs enters a plea of NOT GUILTY; Larry Dee Johnson enters a plea of NOT GUILTY; and John Dennis Koop enters a plea of NOT GUILTY. Defendants granted 10 days to file any motions. Case set for jury trial on Monday February 5, 1968 at 9:30 A. M. (Allen E. Barrow-Judge)(M-CSR)
1-26-68	Motion of defendant, John Dennis Koop, to Suppress Evidence, with Brief in support thereof, filed. w
1-26-68	Defendant, Ernest Charles Downs, motion to suppress evidence, with brief attached, filed. b
1-26-68	Defendant, Larry Dee Johnson, motion to suppress evidence, with brief attached, filed. b

(OVER)

DATE	PROCEEDINGS
1-29-68	Minute Order: Motions to suppress as to all defendants are to be heard on day of trial. (2-5-68) (AEB-J)h
1-30-68	Plaintiff's response to motions to suppress evidence filed. h
2-5-68	Defendant each present in person and represented. Hearing held on motions to suppress evidence as to each defendant; Court finds that no advantage was taken by any state of county Authorities and defendants rights were protected; motions as to each defendant overruled, as per order to be prepared by the government. (LB-J)h
2-5-68	Case called for trial as to all defendants. Defendants each present and represented. Jury returns with verdicts. Jury returns with GUILTY verdicts as to each defendant. Jury Polled. Defendant Ernest Charles Downs adjudged GUILTY as charged. Defendant Larry Dee Johnson adjudged GUILTY as charged. Defendant John Dennis Koop adjudged GUILTY as charged. Verdicts received, read and filed in open court. Jury discharged. Court orders that the bonds as to each defendant is raised to the amount of \$10,000.00 each, and sentence as to each defendant is passed to Wednesday February 14, 1968. (LB-J)h
2-9-68	Order filed that the defendants' motions to suppress evidence are hereby overruled. (Luther Bohanon-Judge)h
2-9-68	Three subpoenas returned and filed. w
2-14-68	<p>Defendants, Ernest Charles Downs, Larry Larry Dee Johnson and John Dennis Koop each present in person and each represented.</p> <p>Judgment and Sentence- Ernest Charles Downs (19)</p> <p>5 yrs. Atty Gen.</p> <p>Further adjudged that the sentence imposed in this case shall run consecutively to any sentence the defendant is now serving. (LB-J)h</p> <p>Judgment and Sentence- Larry Dee Johnson (19)</p> <p>5 yrs. Atty. Gen.</p> <p>Further adjudged that the sentence imposed in this case shall run consecutively to any sentence the defendant is now serving. (LB-J)h</p> <p>Judgment and Sentence- John Dennis Koop (24)</p> <p>5 yrs. Atty. Gen.</p> <p>Further adjudged that the sentence imposed in this case shall run consecutively to any sentence the defendant is now serving. (LB-J)h</p>
2-14-68	Order of J&C as to defendant Downs filed & entered. (LB-J)h
2-14-68	Two c.copies above order delivered USM. h
2-14-68	Order of J&C as to defendant Johnson filed & entered. (LB-J)h
2-14-68	Two c.c. of above order delivered USM h
2-14-68	Order of J&C as to defendant Koop filed & entered. (LB-J)h
2-14-68	Two c.c. of above order delivered USM.h
2-14-68	Affidavit of Richard E. Blackwell filed.h
2-20-68	Notice of appeal by John Dennis Koop, filed. cpy delivered to James E. Ritchie, Asst. US Atty. g
2-20-68	Notice of appeal by Larry Dee Johnson, filed. cpy delivered to James E. Ritchie, Asst. US Atty. g
2-21-68	Statements of docket entries as to Johnson and Koop mailed to USCA. g
2-23-68	Petition and affidavit for leave to proceed in forma pauperis pursuant to 28 USCA 1915, filed. ds - as to Larry Dee Johnson.
2-23-68	Petition and affidavit for leave to proceed in forma pauperis pursuant to 28 USCA 1915 as to Ernest Charles Downs, filed. w

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CRIMINAL DOCKET

DATE	PROCEEDINGS
2-23-68	Notice of appeal by Ernest Charles Downs, filed. cpy delivered to James E. Ritchie. g
2-23-68	Statement of docket entries mailed to USCA, Denver. g
2-27-68	Order granting Ernest Charles Downs leave to prosecute appeal in forma pauperis, filed. (LB-J)g
2-27-68	Order granting Larry Dee Johnson leave to prosecute appeal in forma pauperis, filed. (LB-J)g
2-27-68	Order granting John Dennis Koop leave to prosecute appeal in forma pauperis, filed. (LB-J)g
2-28-68	cc of orders sent to Marks and Sickles, Court Reporters. g Return on J & C filed. Defendants John Dennis Koop, Ernest Charles Downs and Larry Dee Johnson committed to Federal Reformatory at El Reno Okla. on 2-28-68. w
2-27-68	Petition and affidavit for leave to proceed in forma pauperis pursuant to 28 USCA 1915 as to John Dennis Koop, filed. g
4-1-68	Order granting an additional 30 days for defendants to docket their appeal, filed. (LB-J) w
4-3-68	Order extending time to docket appeal to May 20, 1968, filed. (LB-J)g
5-16-68	Order extending time to file and docket appeal, to July 15, 1968, filed. (Luther Bohanon - Judge) b copies mailed
7-15-68	Order extending time to file and docket appeal to Sept. 9, 1968, filed. g (Luther Bohanon-Judge) copies mailed
8-6-68	Order extending time to file and docket appeal to Sept. 23, 1968, filed. g (Luther Bohanon-Judge)g
9-10-68	Order extending time to file and docket appeal to Oct. 20, 1968, filed. (Luther Bohanon, Judge)g(cpies to counsel)
10-17-68	Order extending time to file and docket appeal to Nov. 18, 1968, filed. (Luther Bohanon, Judge)g copies to counsel & USCA.
11-13-68	Court Reporter's transcript of proceedings at motion to suppress, trial proceedings and sentencing, filed. (Orig. + 2 copies) Frank Sickles, Reporter. g
11-14-68	Appeal record forwarded to USCA, Denver. g
7-23-69	Mandate of USCA, 10th Circuit, affirming judgment of 2-14-1968, as to Ernest Charles Downs, filed and spread of record. g
7-23-69	Mandate of USCA, 10th Circuit, affirming judgment of 2-14-1968, as to Larry Dee Johnson, filed and spread of record. g
7-23-69	Mandate of USCA, 10th Circuit, affirming judgment of 2-14-1968, as to John Dennis Koop, filed and spread of record. g
7-23-69	Opinion of USCA, 10th Circuit, filed. g

DATE	PROCEEDINGS

UNITED STATES COMMISSIONER
Northern DISTRICT OF Oklahoma.

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE BENJAMIN B. BALLENGER
(Name of commissioner)

FEDERAL BUILDING, TULSA, OKLAHOMA.
(Address)

COMMISSIONER'S
DOCKET No. 1 CASE No. 299
THE UNITED STATES
vs.

ERNEST CHARLES DOWNS,
LARRY DEE JOHNSON,
JOHN DENNIS COOP.

Complaint filed on Oct. 23, 1967, by Thomas W. McLain
Official title F.B. I., charging violation of
United States Code, Title 18, Section 2312, on 10-18-
1967, at Oilton, Okla. in the
division of the Northern district of Oklahoma.
as follows: transport in interstate commerce a 1958
Ford VIN G8KTI55683, bearing a 1967 Kansas
license G/W 4189 from a point near Toronto Lake,
Kansas to Oilton, Creek County, Oklahoma, knowing
said vehicle to have been stolne.

(Here insert brief summary of facts constituting offense charged)

John Dennis Coop.

WARRANTS OR SUMMONS ISSUED:

Date Oct. 23, 1967 Warrant/Summons for Ernest Charles Downs, Larry Dee Johnson &
to (name and title of officer) To Any U. S. Marshal or Any Authorized U.S. Officer:
Substance of return

Date Warrant/Summons for
to (name and title of officer)
Substance of return

FILED
16857
OCT 28 1967

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

NOBLE C. HOOD

Clerk, U. S. District Court

Date Arrested by { on warrant of (Name of issuing officer)
without warrant.
Appearances { for United States (Name) (Address)
for accused (Name) (Address)
Proceedings taken

(Here insert with dates, when appropriate, a serialim account of essential steps taken at hearing such as "complaint prepared,"

if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"

if that is the fact; any adjournments taken, etc.

**** 10-23-67: Above defendants apprehended and appeared before the
U. S. Commissioner at Oklahoma City, Oklahoma, in the Western District
of Oklahoma.
Outcome S/ Benjamin B. Ballenger
U. S. Commissioner.

Bail fixed, 19 Amount, \$ Bonded, 19, by cash
deposited by (name) Address, 19 [or] by surety
transmitted to clerk of district court (name) Address, 19
(name) Address, who
justified by affidavit dated, 19, [or] committed to
on, 19

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date _____ Appearances for _____

United States

(Name) _____

(Address) _____

Accused

(Name) _____

(Address) _____

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing _____ names certified to United States Marshal for payment _____, 19____
Proceedings taken _____

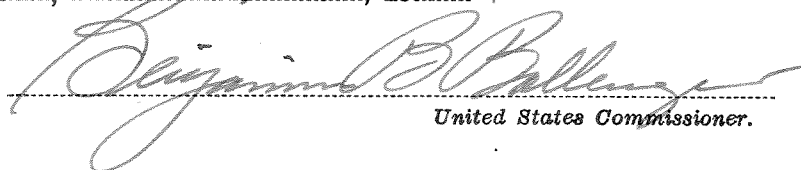
Outcome _____

Bail fixed _____, 19____ Amount, \$ _____ Bonded _____, 19____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19____
[or] by surety (names) _____ Address _____
and _____ Address _____
who justified by affidavit _____, 19____ Committed to _____
on _____, 19____

Certified to be a correct transcript.

Made this 26 day of October, 19 67

Transmitted to Clerk of United States District Court for the Northern
district of Oklahoma, Oct. 26, 19 67


United States Commissioner.